

**MINUTES OF  
CITY OF DUVALL  
COUNCIL MEETING  
10-14-04**

**7:00 P.M. - Duvall Fire Station**

**Council Workshop 6:00 PM:            Council Member Appointment Process  
2005 Capital Projects**

**The City Council Meeting was called to order by Mayor Nixon at 7:05 P.M.**

**Council Present:**     Steve Hotchkiss, Will Ibershof, Tom Loutsis, Heather Page,  
Jeffrey Possinger, Greg Von Tobel

**Staff Present:**        Doreen Booth, Steve Schuller, Glenn Merryman, Dianne Nelson,  
Bruce Disend, Jodee Schwinn

**I.     Additions or Corrections to the Agenda:**

Councilmember Steve Hotchkiss requested a revision to the September 23, 2004, minutes to more closely reflect what he had said regarding the Business and Occupation Tax. He also distributed a copy of the proposed revision.

*It was moved and seconded (Possinger-Page) to amend the September 23, 2004, minutes to reflect the corrections submitted by Councilmember Hotchkiss. Carried. (6 ayes).*

Mayor Nixon added the following additions: Under Consent Agenda add: Payroll in the amount of \$132,347.42; Claims in the amount of \$1,356,147.44. Under Council add: Councilmember Steve Hotchkiss.

**II.    Comments from the Audience:**

Lisa Yeager, 5728 Tolt Highlands Road, Carnation, Director of the Sno-Valley Senior Center, thanked the City for their past support. She explained that the funds they receive from the City assist them in their mission of being an effective provider of quality services to support the independence of seniors. She emphasized that the Senior Center plays an important role in the lives of many in Duvall and explained how important the \$2,000 they receive from Duvall is to the Center. She asked the Mayor and Council to please do all they can to continue their support of the Senior Center.

Lin McBride, 11329 - 294<sup>th</sup> Avenue NE, Redmond, representing the Duvall Foundation for the Arts, submitted their quarterly Thayer Barn Fundraising Report. She explained that due to the delay of the owner developing the property, active fund-raising for the project has been minimal. She also distributed copies of the DFA newsletter "Duvall

Arts". She welcomed other groups and organizations to submit articles for their newsletter.

Charles Correll, 27137 NE Miller St., Duvall, thanked the City Council, the Mayor, Chief Merryman, and the City staff for giving the City a new police station that is completed and within budget. He thanked them for saving him the tax dollars.

**III. Approval of Consent Agenda:**

*It was moved and seconded (Ibershof-Page) to approve the consent agenda, which included Payroll in the amount of \$126,981.77; Claims in the amount of \$247,590.98; and approving the revised and amended Council Meeting Minutes of 9/23/04. Carried. (6 ayes).*

**IV. Presentation:                      None**

**V. Scheduled Items:**

**1. Mayor:** Mayor Nixon reported that she has been talking to people in the community and there are some misconceptions she would like to clear up. She stated the Chief does not make \$130,000, and Dianne Nelson does not make \$108,000. She also stated that the City of Carnation pays for its own contract with the officers. It is a separate contract than what we have with the Duvall police. They are our police, but we contract with Carnation and they are paying for it. They don't get the services for free. The Mayor stated that she didn't realize how many people didn't understand the Carnation contract so she will be out in the community more talking with more people and letting them know that Carnation definitely pays for their police services. Mayor Nixon also reported that the absentee ballots are out.

**2. Committee Reports:**

*Reports will be given at the second Council Meeting of each month.*

**3. Council:**

Councilmember Hotchkiss stated that he wanted to respond to a statement that was in the Mayor's Message of the October "Duvall News." The last sentence in the third paragraph regarding the B&O Tax read: "many business owners are residents and would be taxed twice if the levy passes." Councilmember Hotchkiss voiced his opinion that he doesn't agree that they would be taxed twice because if the levy passes they would be taxed once on the value of their properties or their homes, and if there was a B&O Tax they would be taxed on their business. Both receive benefits from the services that the City provides, whether it be the wastewater treatment, the police department, or the maintenance of parks. He believes that without the B&O Tax you are basically telling the property owner that they have to pick up the slack. He also feels that it is wrong and unfair for the citizens in the community to be expected to pick up the tax burden from the businesses, and then at the same time be pressured to support local businesses that are struggling

financially, even though the majority of them, one being a major retailer that promotes police presence with preferred parking, are unwilling to help the City financially.

Lastly, Councilmember Hotchkiss wanted to express his view to the business owners that have political signs in their windows. He suggested that they don't put political signs in their windows, and if they choose to, they should recognize and accept the consequences that they are potentially alienating half of their customers before they even walk in the door. He doesn't feel that it makes any sense if you are having a hard time business-wise to put yourself in that position.

#### **4. Staff:**

Doreen Booth, City Hall Administrator, gave an update on the Jail Operating Group. Doreen reported that the Planning Commission held a Public Hearing on the updated Comprehensive Plan and have moved it forward. The Duvall City Council will hold a Public Hearing on the updated Comprehensive Plan at the October 28<sup>th</sup> regular Council Meeting. 2200 notices will also be mailed out to the citizens of Duvall informing them of the Hearing. Also at the October 28<sup>th</sup> regular Council Meeting, Patrick Overton will be giving an update on the Cultural Plan. Doreen announced the Suburban Cities Association Annual Meeting will be held on November 17<sup>th</sup>. She encouraged at least two Councilmembers to attend. Doreen also reported that work continues on the City's Emergency Management Plan. Staff is currently working on writing the Standard Operating Procedures. Doreen will also be speaking at the next Carnation-Duvall Citizen Corps Board Meeting on how that group will fit into the Plan. Regarding community events, Doreen announced the Downtown Treat-or-Treat event will be held on Friday, October 29<sup>th</sup>, and the Holiday Tree Lighting will be held on Friday, December 3<sup>rd</sup>.

Glenn Merryman, Chief of Police, announced the Police Department started moving into their new facility yesterday. He estimates it will be at least another week to get completely organized. He noted that the Department has been waiting many years for this to become a reality, and he thanked the Mayor and Council for making it happen. He stated the Police Department appreciates the facility and that it will serve the City well. The Chief also gave an update on Carnation. He said they received an overwhelming welcome in Carnation. He also believes that this partnership can help to bring the two communities together. He reported that the overall the crime rate has been very low since arriving in Carnation, and he feels their presence has made a big difference. Lastly, he reemphasized that Carnation is paying for their share of the police services, and they are happy to do that.

c. Steve Schuller, Public Works Director, reviewed a list of non-funded 2005 Capital Projects. He also reviewed some of the proposed projects that Public Works is planning to complete. These included improvements to Big Rock Road and Gateways at the south end of town.

There was discussion regarding the proposed projects and funding options. There was also some discussion on moving forward on the construction of NE 143 Place as another street to connect the west area of the City with the east "*plateau*" area.

d. Dianne Nelson, Finance Director, distributed the annual report on Impacts Fees as required by law. She reviewed the Street Impact Fees and the Park Impact Fees for the last year.

**VI. Public Hearing: Ordinance #998 establishing a Nine Month Moratorium on the filing of applications for certain land development activities and declaring an emergency.**

**8:08 p.m.** The Public Hearing was opened:

There were no comments.

**8:08 p.m.** The Public Hearing was closed.

**VII. Unfinished Business: None**

**VIII. New Business:**

**1. (AB04-61) Approve and authorize the Mayor to sign agreement #2004-36 with the YMCA of Greater Seattle for operation of the Glen Kuntz W.R.E.C.K. Center.**

*Was moved and seconded (Ibershof-Von Tobel) to approve and authorize the Mayor to sign agreement #2004-36 with the YMCA of Greater Seattle for operation of the Glen Kuntz W.R.E.C.K. Center. Carried. (6 ayes).*

**2. (AB04-62) Resolution #04-18 directing City Staff to develop procedures for employing a Hearings Examiner for the purpose of making land use decisions.**

*It was moved and seconded (Page-Ibershof) to approve Resolution #04-18 directing staff to develop procedures for employing a Hearings Examiner for the purpose of making land use decisions.*

There was some Council discussion with regarding to more time to review, or possibly a model ordinance to look at before approving this resolution.

City Attorney, Bruce Disend, explained that it is usually more efficient to present a draft ordinance to have something to work from.

*It was moved and seconded (Possinger-Loutsis) to table the item to the next Council Meeting. The motion failed. (3 ayes - Possinger, Loutsis, Von Tobel) (4 nays - Ibershof, Hotchkiss, Page, Mayor Nixon to break the tie).*

*The motion to approve Resolution #04-18 directing staff to develop procedures for employing a Hearings Examiner for the purpose of making land use decisions carried. (4 ayes - Ibershof, Hotchkiss, Page, Mayor Nixon to break the tie) (3 nays - Possinger, Loutsis, Von Tobel).*

**3. (AB04-63) Approve and authorize the Mayor to sign contract with Western Asphalt for the Depot Park final lift asphalt concrete pavement.**

*Was moved and seconded (Ibershof-Page) to approve and authorize the Mayor to sign contract with Western Asphalt for the Depot Park final lift asphalt concrete pavement. Carried. (6 ayes).*

**IX. Executive Session:**    *None*

**X. Adjournment:**  
*Was moved and seconded (Ibershof-Page) to adjourn. Carried. (6 ayes).*

Meeting Adjourned 8:19 p.m.

Signed \_\_\_\_\_  
Mayor Becky Nixon

Attest \_\_\_\_\_  
Jodee Schwinn, City Clerk